



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



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SUBJECT: PROMOTIONAL STANDARDS

1.0 PURPOSE

The purpose of this policy is to establish fair and consistent promotional standards for State Police commissioned personnel seeking promotion to the ranks of sergeant, lieutenant, and captain.

2.0 POLICY

It is the policy of the State Police Division to prepare its employees for advancement within the division by providing clear explanations of the necessary requirements. This includes qualifications for consideration and other expectations required for promotion. The Training and Recruiting Bureau of the State Police has the role of organizing and administering all promotional testing for commissioned personnel. The Chief of the State Police has the final authority on all promotions.

3.0 APPLICABILITY

This policy applies to all eligible New Mexico State Police Commissioned Personnel.

4.0 REFERENCES

- A. CHAPTER 29, ARTICLE 2, 1978 Annotated, State Police**
- B. New Mexico Department of Public Safety Training Center Reference Guide, Fifth Edition**
- C. NMAC 10.5.200.8 – Personnel**
- D. CALEA CHAPTER 34 - Promotion**

5.0 DEFINITIONS

- A. Assessment Center** – May consist of, but not be limited to, table-top, in-basket, role-play scenarios, written exercises, personnel issues, oral interviews, and other relevant exercises. These exercises measure candidates' problem-solving, decision-making, general skills, knowledge, and other abilities related to supervisory position responsibilities.
- B. Cabinet Secretary** – Secretary of the Department of Public Safety.
- C. DPS** - Department of Public Safety.
- D. Eligibility** - A candidate for promotion to sergeant, lieutenant, captain, and above must meet the criteria associated with that level of promotion. This information is outlined in the section of this policy specific to that particular level of promotion.
- E. Evaluation** - The last two (2) **annual** evaluations prepared by the employee's immediate supervisor:

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1. For the sergeant's exam, the average of the last two (2) annual evaluations will be considered. The date of the written exam will be used for the purpose of determining a cut-off date for the last two (2) evaluations.
2. For the lieutenant's exam, the average of the last two (2) annual evaluations will be considered. The commencement date of the assessment center will be used for the purpose of determining a cut-off date for the last two (2) evaluations.

F. One-half - Defined as being rounded up to the nearest whole number, for use in advancement to the Assessment Center.

G. Rule of Three - Method by which the Chief can promote any of the top three (3) candidates on the final sergeant's list.

6.0 PROCEDURE

A. The Training and Recruiting Bureau Commander, or designee, is vested, by the Chief, with the authority and responsibility for administering the agency's role in the promotional process for commissioned personnel.

B. The Department will provide candidates with a written announcement of all forthcoming promotion opportunities. Such announcements will precede the actual promotion processes and shall include at a minimum, the following information:

1. A schedule of dates, times, and locations of all elements of the process;
2. A description of eligibility requirements; if different than stated in the promotional policy;
3. A description of the process to be used in selecting personnel for the vacancies, if different than stated in the promotional policy.

C. Candidates must meet eligibility requirements listed per each rank. Prior to the testing process or promotion the following criteria must be complied with:

1. Any candidate for promotion who has served a suspension of five (5) days or more within one (1) year preceding the commencement date of the process or promotion will not be eligible to participate in the promotional process whether or not the discipline is being appealed or has yet to be completed.
2. Any candidate who has been placed on the final promotional list and who is informed that they are the target of an administrative investigation will not be eligible for promotion until the final determination of that administrative investigation is complete. The following will apply in this circumstance:
 - a. The candidate will remain on the list in the numerical order in which they were placed. The candidate will be placed in an "inactive status" until a final determination of the administrative investigation is made by the Chief
 - b. The Chief has the authority to promote candidates from the final list who are below a candidate that is in an "inactive status".
 - c. If the candidate receives a suspension of five (5) days or more as a result of the administrative investigation, the candidate will be removed from the final list.

- d. If the administrative investigation results in no disciplinary action or disciplinary action less than a suspension of five (5) days, the candidate will become “active” on the list and be eligible for promotion. If the candidate was passed over while on “inactive status,” the candidate will be placed at the top of the list.
3. Reinstated officers wishing to participate in a promotional process must meet the requirements described in Department policy *PRS: 01 State Police Reinstatement* prior to participation.
- D. The Training and Recruiting Bureau Commander, or designee, shall ensure that promotional processes evaluate candidates utilizing elements that are job-related and non-discriminatory. The promotional process uses various techniques to measure, at a minimum, the following job-related skill dimensions, which are necessary for supervisory positions:

The assessment center uses multiple assessors in an assessment. Assessment centers use techniques designed to elicit information which is used to evaluate the dimensions, attributes, or qualities previously determined. The assessment center exercises will have been pre-tested prior to use to ensure that the techniques provide reliable, objective, and relevant information. All exercises will be job related and non-discriminatory. All judgments regarding a candidate’s performance in the assessment center are based on observations made by assessors. These observations shall be gathered by assessors and documented on provided forms. The documented information will be pooled in order to determine final scores. The Training and Recruiting Bureau, upon request, will provide the candidate with information regarding the dimensions, ratings, and recommendations of the assessors.

1. **Oral Communication:** Effectiveness of expression in individual and group situations (including gestures and non-verbal communication.)
 2. **Written Communication:** Effectiveness of expression in writing.
 3. **Interpersonal Skills and Insight:** Perceiving and reacting to the needs of others. Objectivity of perceiving impact of self on others.
 4. **Problem Solving/Analysis:** Skill in identifying problems, securing relevant information, and identifying possible causes of problems.
 5. **Judgment:** Ability to develop alternative solutions to problems, to evaluate courses of action, and to reach logical decisions.
 6. **Decisiveness:** Readiness to make decisions, renders judgment, takes action, or commits oneself.
 7. **Planning and Organization:** Ability to efficiently establish an appropriate course of action for self or others to accomplish a specific goal, make proper assignments of personnel, and appropriate use of resources.
 8. **Delegation:** Effective use of subordinates to establish procedures for monitoring and regulating activities of subordinates.
- E. Candidates will be provided results of each phase of the promotional process at the completion of each testing phase. Candidate reviews, appeals, objections, or questions regarding any portion of the promotional process shall be directed in writing to the State

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Police Training Bureau, or designated bureau, within forty-eight (48) hours of the issuance of grades for that portion of the process.

- F. The State Police Training Bureau, or designated bureau, will respond to the candidate within seventy-two (72) hours of receipt of written questions or objections. Candidates can appeal to the Chief within twenty-four (24) hours of the bureau's response. The Chief will respond to the candidate within twenty-four (24) hours with a final decision.
- G. All officers competing for promotion will do so with a clear understanding that promotions made from the final promotional list will be made to locations and assignments that suit the needs of the State Police Division and will be for two (2) years.
- H. The Chief will contact each candidate prior to promotion via telephone or in person to consult the applicant regarding promotion.
- I. All promotional materials shall be securely maintained to uphold the confidentiality of the process..
- J. The Department does not allow candidates to reapply for participation in promotional processes. The next process is when the candidate will again, become eligible for participation.
- K. Any newly promoted sergeant, lieutenant, or captain shall be required to complete a probationary period of one (1) year from the date of promotion. This probationary period may be extended at the discretion of the Chief, or his/her designee.
- L. **Promotion to the rank of Sergeant:** Made after the completion of a promotional process.

1. Eligibility

In order to be considered for promotion to the rank of sergeant, a candidate must have a minimum of five (5) years of satisfactory service and complied with Job Specifications requirements.

2. Testing Procedure

- a. Written examination will carry a weight of twenty (20) percent. The procedure for administering the written examination is as follows:
 - i. The State Police Training and Recruiting Bureau creates and administers all written tests for the position of sergeant.
 - ii. The written examination will be validated by officers currently holding the rank of sergeant and/or the Office of Legal Affairs.
 - iii. All written tests administered are job-related to the supervisory position and comprised of information listed in the testing announcement.
 - iv. All candidates testing for the same position will receive the same test at the same time, unless they receive an exception due to unusual circumstances.
 - v. Notice of written test date and location sent to all candidates.
 - vi. Candidates will take the written exam as per the directions provided by the examination proctor. The proctor will provide each candidate with a copy of the written examination and score sheet. Once completed, the

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candidate will return the written examination and score sheet to the proctor prior to being dismissed from the testing facility. No other materials may be removed from the testing facility unless authorized by the examination proctor.

- vii. The Training and Recruiting Bureau shall compile and grade all score sheets from the written test.
 - viii. The Chief is notified of the written exam scores.
 - ix. All candidates who participated in the examination will be notified of their scores and the cut-off score. The top one third (1/3) of the candidates will proceed to the assessment center.
 - x. The Training and Recruiting Bureau shall compile a list of candidates who are eligible to participate in the assessment center phase of the process. This list will be provided to the candidates.
- b. The two annual evaluations will be scored and that score will be divided by two (2) for the overall average score. The scoring is as follows: a full twenty (20) percentage points for a rating of "Meets Performance Standards" or better in each Average of Task category. Two (2) percentage points will be subtracted for each Average of Task category rated as "Needs Improvement" and three (3) percentage points will be subtracted for each Average of Task category rated as "Unacceptable."
- c. Seniority (the number of years of satisfactory service as a patrolman/agent) will carry a weight of twenty (20) percent. Seniority is calculated by providing each candidate fifteen (15) percentage points for the first five (5) years of satisfactory service plus one-half ($\frac{1}{2}$) percentage point for each year thereafter, for a maximum of twenty (20) percentage points for fifteen (15) years of service. The date of the written examination will be the date of seniority cut-off. Only years completed by the date on which the first phase of the promotional process is scheduled to be administered will count toward seniority. (Months will not be included)
- d. The assessment center will carry a weight of forty (40) percent.
- i. The Training and Recruiting Bureau Commander is responsible for organizing and administering the promotional process/assessment center.
 - ii. Chosen assessors will meet and develop the assessment techniques to be used in the promotional process. Assessors will assure the use of multiple assessment techniques, which demonstrate job-relatedness by pre-testing to ensure objective, non-discriminatory relevant information for the position.
 - iii. Current supervisors shall be used during the final developmental phase of the assessment to validate the job-relatedness.
 - iv. The assessors will document all observations and scores.
 - v. All final judgments will be based on pooled information from assessors.
 - vi. The Chief will be notified of the assessment center scores.
 - vii. All candidates who participate in the assessment center will be notified of their scores.

- e. Candidates will receive one (1) bonus point for sixty (60) college credit hours or an Associate's Degree; two (2) points for a Bachelor's Degree; and three (3) points for a Masters Degree from an accredited organization recognized by the Council on Higher Education. These bonus points will be added to a candidate's final score after the assessment center is complete.
- f. The State Police Training and Recruiting Bureau Commander shall ensure, prior to the test date, that all candidates are eligible to participate in the testing process.
- g. Candidates participating in **any** promotional process are strictly prohibited from bringing cell phones or any other recording device into the process. In the event a candidate is found to have one of these prohibited devices in their possession during the promotional process, the candidate may receive sanctions such as disqualification from the process.

3. Summary for Sergeant Promotion

The criteria and weights for the Sergeant Promotional Process are: Written Examination - twenty (20) percent, Evaluation – twenty (20) percent, Seniority – twenty (20) percent, and Assessment Center – forty (40) percent.

- a. **Candidate** - Eligible candidates will take a written examination at a time and location designated by the Chief.
- b. **State Police Chief** - Will assign monitors for each testing location. These monitors will score the test in their assigned areas, post the scores, and forward the scores to the State Police Training Bureau.
- c. **State Police Training Bureau Commander** - Will establish a list of written examination scores. The top one-third (1/3) will be eligible to proceed to the assessment center phase of the promotional process.
- d. **Immediate Supervisor** - Will ensure that the last two (2) evaluations are provided to the candidate to submit upon arrival at the assessment center.
- e. **State Police Training Bureau** - Will tabulate evaluation and seniority scores.
- f. **State Police Chief** - Will assign personnel to evaluate candidate's performance in the assessment center.
- g. **State Police Training** - Will combine all scores and establish a ranking list, which will comprise the Final Sergeant Promotional List when it is forwarded to the chief. The final list will comprise the overall top twenty (20) candidates by final score.
- h. **State Police Chief** - Will promote from the Final Sergeant's Promotional List, applying the Rule of Three (3) at his/her discretion. However, a candidate will not be passed over more than twice, unless said candidate has received disciplinary action resulting in suspension of five (5) days or more while on the Final Promotion List.
- i. The Sergeant's Promotional List will be effective for one (1) year from the date of issue unless the Chief, at his/her discretion, decides to order a new promotional process to commence prior to a list expiring **or the Chief may** extend the list beyond one (1) year.

- j. If an officer declines a promotion to the rank of sergeant twice, the Chief may use his/her discretion whether to offer any further sergeant positions to the officer for the duration of the promotional list.
- k. If there is a conflict with any out-of-state assignments, the Department will make a reasonable effort to accommodate the prospective candidate for promotional testing.

M. Promotion to the rank of Lieutenant: The Chief has the discretion to appoint the rank of lieutenant or commence a promotional process. However, if there is a lieutenant's promotional list in place the Chief will promote from that list unless the chief begins a new promotional process. Upon promotion to the rank of Lieutenant, an officer will no longer be eligible to remain a member of or become a member of any department specialty team.

1. Eligibility

In order to be considered for promotion to the rank of lieutenant, candidates will have completed two (2) years satisfactory service at the rank of sergeant and five hundred (500) cumulative hours of advanced training, to include forty (40) hours of a DPS accredited First Line Supervisor course, plus First-Line Supervisor certification from the New Mexico Law Enforcement Academy. Advanced certification criteria and guidelines can be located in the Department of Public Safety Law Enforcement Academy website. If candidates are in good standing, certification fee will be paid by the Department. Candidates are required to show proof of required advanced training requirements. If candidate has failed to show proof of required advanced training requirements, that candidate will not be allowed to participate in any upcoming promotional processes.

2. Criteria

- a. When a written test is used for lieutenant's promotional processes it will be conducted using the same procedures as the sergeant's promotional process.
- b. The two annual evaluations will be scored and that score will be divided by two (2) for the overall average score. The scoring is as follows: a full twenty (20) percentage points for a rating of "Meets Performance Standards" or better in each Average of Task category. Two (2) percentage points will be subtracted for each Average of Task category rated as "Needs Improvement" and three (3) percentage points will be subtracted for each Average of Task category rated as "Unacceptable."
- c. Seniority (the number of years of satisfactory service as a sergeant) will carry a weight of twenty (20) percent. Seniority is calculated by providing each candidate fifteen (15) percentage points for the first two (2) years of satisfactory service plus one-half ($\frac{1}{2}$) percentage point for each year thereafter, for a maximum of twenty (20) percentage points for twelve (12) years of service at the rank of sergeant. The commencement date of the assessment center will be the date of seniority cut-off. Only completed years of service will count toward seniority; months will not be calculated. The candidates must have achieved the minimally required number of years of service by the date on which the first phase of the promotional process is scheduled to be administered.
- d. When an assessment center is used, for lieutenant's promotional processes, it will be conducted using the same procedures as the sergeant's promotional process. Assessment center will carry a weight of sixty (60) percent. The State

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Police Training Bureau, or designated bureau, will ensure that all candidates are eligible to participate in the testing process, prior to the test/interview date.

- e. Candidates will receive one (1) bonus point for sixty (60) college credit hours or an Associate's Degree; two (2) points for a Bachelor's Degree; and three (3) points for a Masters Degree from an accredited organization recognized by the Council on Higher Education.
- f. These bonus points will be added to a candidate's final score after the assessment center is complete.
- g. An exclusive interview process may be administered through the bureau advertising an available lieutenant's position, as approved by the Chief.

3. Summary for a Lieutenant Promotional Process

The criteria and weights for the Lieutenant Promotional Process are: Evaluation – twenty (20) percent, Seniority – twenty (20) percent, and Assessment Center - sixty (60) percent.

- a. **State Police Chief** - Will have the discretion to appoint the rank of lieutenant or commence a promotional process.
- b. **State Police Bureau** – A bureau designated by the Chief that will inform eligible sergeants of promotional process scheduling and will conduct promotional process.
- c. **Immediate Supervisor** - Will ensure the last two (2) annual evaluations are given to the candidate to submit upon arrival at the assessment center.
- d. **State Police Training** - Will combine all scores and establish a final alphabetical list (not in ranking order), consisting of the top one-half (1/2) of all participating candidates (not to exceed twenty (20) candidates).
- e. **Candidate** - Will submit all documents proving eligibility for promotion to the designated bureau commander commencing a promotional process.
- f. **State Police Chief** - Will promote anyone from the final list at his/her discretion.
- g. The Lieutenant's Promotional List will be effective for one (1) year from date of issue unless the Chief, at his/her discretion, decides to order a new promotional process to commence prior to a list expiring, **or the Chief may** extend the list beyond one (1) year.
- h. If there is a conflict with any out-of-state assignments, the Department will make a reasonable effort to accommodate the prospective candidate for promotional testing.

N. Promotion to the rank of Captain: All promotions made to the rank of captain are at the discretion of the Chief from eligible personnel. Although there is currently no formal promotional process for the rank of captain, this does not preclude the Chief from commencing a process at his/her discretion.

1. Criteria

- a. In order to be considered for promotion to the rank of captain, candidates will be required to have sixty (60) college credit hours from an accredited organization recognized by the Council on Higher Education.

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- b. Candidates will also be required to meet the following criteria, in addition to two (2) years of satisfactory service at the rank of lieutenant, compliance with Job Specifications requirements and seven hundred (700) cumulative hours of advanced training, to include one hundred (100) hours of supervisory management training and/or formal education, plus Command certification from the New Mexico Law Enforcement Academy. Advanced certification criteria and guidelines can be located in the Department of Public Safety Law Enforcement Academy website. If candidates are in good standing, the certification fee will be paid by the Department.
- c. Candidates are expected to continue their education in an effort to improve their ability. Candidates must show proof of required advanced training requirements upon the Chiefs request.

O. Promotion to the rank of Major and above: Promotions to the rank of major or above, excluding the rank of Chief, are made at the discretion of the Chief with the concurrence of the Secretary. Eligible candidates must have served satisfactorily in the rank of captain for a period as determined by the Chief.

In order to be considered for promotion to the rank of major or above, candidates will be required to have sixty (60) college credit hours from an accredited organization recognized by the Council on Higher Education.

P. Cabinet Secretary – Ratifies all promotions as submitted by the Chief.

7.0 ATTACHMENTS

NONE

8.0 APPROVAL

APPROVED BY: s/Gorden E. Eden Jr. DATE: February 19, 2014
DPS Cabinet Secretary